

OFFICE OF LEGISLATIVE RESEARCH
PUBLIC ACT SUMMARY



PA 11-72—sSB 1076

Housing Committee

**AN ACT CONCERNING RESIDENT PARTICIPATION IN THE
REVITALIZATION OF PUBLIC HOUSING**

SUMMARY: This act requires housing authorities planning to transform or dispose of property to involve their residents in these activities. Specifically, it requires a housing authority intending to undertake a major physical transformation or disposition of property it owns or operates to (1) notify residents of its intention as soon as practicable, (2) implement a resident participation plan, and (3) make reasonable efforts to enter into a signed agreement with any duly elected tenant organization.

“Signed agreement” means a resident participation plan that is signed by (1) the housing authority; (2) a duly elected and constituted tenant organization; (3) the developer undertaking the major physical transformation, if any; and (4) the entity that will own, lease, or control the property.

A housing authority that does not adopt and implement a resident participation plan is not eligible to apply to the Department of Economic and Community Development (DECD) or the Connecticut Housing Finance Authority (CHFA) for financial assistance for a property’s major physical transformation.

The act requires DECD and CHFA to fully consider giving preference, in a manner consistent with their procedures, to applications for financial assistance from authorities that have entered into a signed agreement.

EFFECTIVE DATE: October 1, 2011

DEFINITIONS

Under the act, “resident participation plan” means a written description of a specific and ongoing process to enable meaningful resident participation during the planning, implementation, and monitoring of major physical transformation or disposition activities, beginning with the earliest stages of concept and design.

“Major physical transformation” means any (1) renovation, rehabilitation, revitalization, or redevelopment of real property or a part of the property for which the estimated cost exceeds 50% of its estimated replacement value or (2) complete or partial demolition of real property resulting in the loss of one or more housing units. “Disposition” means a sale, lease, transfer, or other change in ownership or control.

RESIDENT PARTICIPATION PLAN

A housing authority must implement a resident participation plan after it notifies residents that it intends to undertake a major physical transformation or disposition of property it owns or manages. It must do so in conjunction with the

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residents and any duly elected and constituted tenant organization representing them. It must negotiate the plan's provisions in good faith. If a duly elected and constituted tenant organization exists, the authority must make all reasonable efforts to enter into a signed agreement.

A resident participation plan must include certain provisions geared toward providing residents with information, and others geared toward engaging them in the process. Concerning information for residents, the plan must include:

1. notice to all residents explaining their rights to organize and participate in tenant organizations without interference from, or adverse action by, the authority;
2. a requirement that the authority give residents and tenant organizations information about other groups and organizations that may serve as a resource on matters such as housing policy and resident outreach, training, organizing, and legal rights; and
3. a provision requiring the authority to make all significant documents related to the major transformation or disposition activities, including copies of design plans and financial assistance applications, available for inspection by residents at a readily accessible location.

To engage tenants, the plan must include:

1. identification, if applicable, of opportunities for residents to participate in selection panels to choose development partners and consultants, provided residents do not comprise a majority of any selection panel;
2. provisions for regular and substantial involvement in its implementation by any representatives of any duly elected and constituted tenant organization;
3. provisions allowing the residents to include tenant advocates or other tenant assistance providers as participants; and
4. provisions assuring opportunities for resident involvement, advice, and recommendations concerning the major physical transformation or disposition activities.

A plan's provisions assuring opportunities for resident involvement, advice, and recommendations may cover, where applicable, the following areas:

1. transformation or disposition activity details and the projected timeline;
2. the design of housing units, buildings, amenities, or common areas, including the number, size, and configuration of housing units;
3. architectural design and landscaping;
4. resident employment or the use of resident-owned businesses in transformation or disposition activities and in future property management operations;
5. future resident services, property management, security, or enrichment features affecting residents' quality of life;
6. the occupancy level that will be maintained before the major physical transformation or disposition activities;
7. new rent levels, affordability for current residents, and the duration of any affordability restrictions;
8. homeownership opportunities;

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9. displacement of current residents, temporary and permanent relocation plans, and relocation benefits;
10. the number of housing units that will be lost due to transformation or disposition activities and any replacement plans;
11. plans, procedures, and qualifications for unit occupancy by current and new residents, including preferences, if any, for current residents; and
12. information on how the entity that will own, lease, or control the property is governed and how its governance may affect residents, including changes to grievance procedures and residents' rights and opportunities to participate in management decisions.

OLR Tracking: KS:JR:JL:ts